

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

NO. 3:19-MJ-1015-BT

DAVID CADENA

**GOVERNMENT'S MOTION FOR PRETRIAL DETENTION**

The United States of America ("the government") moves for pretrial detention of Defendant pursuant to 18 U.S.C. § 3142(e) and (f).

1. **Eligibility of Case:** This case is eligible for a detention order because it involves:

- ☒ Crime of violence [18 U.S.C. § 3156(a)(4)]
- ☐ Maximum sentence of life imprisonment or death
- ☐ Controlled Substance offense punishable by 10 or more years
- ☐ Felony with two prior convictions in above categories
- ☐ Felony involving a minor victim
- ☒ Felony involving the possession or use of a firearm, destructive device, or any other dangerous weapon
- ☐ Felony involving a failure to register [18 U.S.C. § 2250]
- ☒ Serious risk that Defendant will flee
- ☐ Serious risk that Defendant will obstruct justice

2. **Reason for Detention.** The Court should detain Defendant because there are no conditions of release that would reasonably assure:

- ☒ Defendant's appearance as required
- ☒ The safety of the community
- ☐ The safety of another person

3. The government **will** invoke the **rebuttable presumption** against Defendant because there is probable cause to believe that Defendant has committed:

- ☐ A Controlled Substance Offense for which a maximum term of imprisonment of 10 years or more is prescribed
- ☐ An offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b

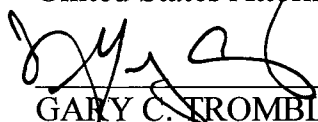
- ☐ An offense listed in 18 U.S.C. § 2332b(g)(5)(B) ["Federal crime of terrorism"] for which a maximum term of imprisonment is 10 years or more is prescribed
- ☐ An offense under Chapter 77 of Title 18 [Peonage, Slavery, and Trafficking in Persons] for which a maximum term of imprisonment of 20 or more is prescribed
- ☐ A crime involving a minor [see offenses listed in 18 U.S.C. § 3142(e)(3)(E)]
- ☐ Defendant has previously been convicted of an offense described in 18 U.S.C. § 3142(f)(1) which was committed while Defendant was released on bond pending trial for any offense and less than 5 years have elapsed since the latter of Defendant's conviction or date of release from imprisonment for such conviction

**4. Time for Detention Hearing.** The government requests the Court to conduct the detention hearing

- ☐ At Defendant's first appearance
- ☒ After a continuance of 1 day(s).

Respectfully submitted,

ERIN NEALY COX  
United States Attorney

  
\_\_\_\_\_  
GARY C. TROMBLAY  
Assistant United States Attorney  
Northern District of Texas  
Louisiana Bar Roll No. 22665  
1100 Commerce Street, Third Floor  
Dallas, Texas 75242-1699  
Telephone: 214-659-8638  
Facsimile: 214-659-8805  
Email: [gary.tromblay@usdoj.gov](mailto:gary.tromblay@usdoj.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that on **November 12, 2019**, I filed the foregoing document with the Clerk of Court for the United States District Court, Northern District of Texas, and I have also provided a copy to defense counsel.

  
\_\_\_\_\_  
GARY C. TROMBLAY  
Assistant United States Attorney